

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RAYMOND SPACE
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

BRPM TOWING SERVICE, INC.;
DENTE BROTHERS TOWING, INC.;
JERRY'S TOWING, INC.; and THE
HOME DEPOT, INC.,

Defendants.

Honorable Madeline Cox Arleo

Civil Action No. 07-947 (JAG)

REPORT AND RECOMMENDATION

THIS MATTER having come before the Court upon the motion of plaintiff, Raymond Space, (Joel Davidson, Esq., of Davidson & Grannum, LLP, appearing) to remand upon notice to defendants, BRPM Towing Service, Inc., Dente Brothers Towing, Inc., Jerry's Towing, Inc., and The Home Depot U.S.A., Inc., incorrectly named The Home Depot, Inc. (Thomas Hall, Esq. of Chadbourne & Parke LLP, appearing), and the Court having considered the papers submitted in support of and in opposition to the motion and having heard the argument of the parties, and for the reasons set forth on the record on June 13, 2007, and for good cause shown;

IT IS on this 13th day of June 2007,

RECOMMENDED THAT plaintiff's motion to remand be **DENIED**.

The parties have ten (10) days from the date hereof to file objections.

s/Madeline Cox Arleo
MADELINE COX ARLEO
United States Magistrate Judge

cc: Hon. Joseph A. Greenaway, Jr., U.S.D.J.
All Parties
File